THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6616 of 2007

Dated: 24-04-2007

Between:

Chintala Sudhakar.

..... PETITIONER

AND

The Panchayat Secretary, Gram Panchayat, Nayudupet, Nellore.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6616 of 2007

ORDER:

The petitioner seeks a writ of Mandamus directing the respondent, namely, the Panchayat Secretary, Nayudupeta Gram Panchayat, Nellore District, not to interfere with his peaceful possession in respect of room No.1 at Smt. Indira Grandhi Shopping Complex till expiry of the lease period i.e, 31.03.2009.

The petitioner became highest bidder in the auction conducted on 24.03.2006 for leasing out room No.1 at Smt. Indira Gandhi Shopping Complex and accordingly he was granted lease. The petitioner's lease is valid from 01.04.2006 to 31.03.2009. The respondent Gram Panchayat issued a notice dated 29.03.2006 calling upon the petitioner to pay a sum of Rs.1,12,600/- towards the security deposit and electricity consumption charges. Apprehending that he might be dispossessed, the petitioner filed instant writ petition.

After getting instruction, the learned standing counsel for the respondent Gram Panchayat submits that the respondent Gram Panchayat has not initiated any action for evicting the petitioner but he was only given notice to pay the required amount pursuant to the auction.

The writ petition is, therefore, dismissed observing that the same is filed without correct factual foundation. No costs.

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(**V.V.S.RAO, J**)

24th April, 2007

ghn